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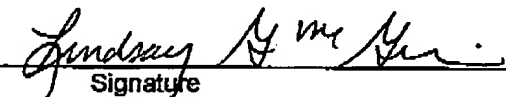
JUN 14 2005

Serial No.: 09/460556  
Attorney Docket No: 126-005

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8**

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6/14/2005  
date

  
Signature

Lindsay G. McGuinness  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal x 2      2 pages  
Petition to Withdraw Notice of Abandonment      2 pages  
Copy of Correspondence mailed to PTO on 11/1/2004      13 pages  
TOTAL PAGES Including cover      18

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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9:30

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/460556
	Filing Date	12/14/1999
	First Named Inventor	Davies
	Art Unit	2619
	Examiner Name	Harrell
Total Number of Pages in This Submission	Attorney Docket Number	126-005 NTL-3-21082

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Withdraw Notice of Abandonment w/enclosures
Remarks: <b>PLEASE CHARGE ANY FEE DEFICIENCY, INCLUDING THE ISSUE FEE, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 502569</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Steubing McGuinness & Manaras LLP		
Signature	<i>Lindsay G. McGuinness</i>		
Printed name	Lindsay G. McGuinness		
Date	6/14/2005	Reg. No.	38,549

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>Carol Ann Mahoney</i>		
Typed or printed name	Carol Ann Mahoney	Date	6/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/21 (08-04)

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/460556	<b>RECEIVED</b>  JUN 21 2005  <b>OFFICE OF PETITIONS</b>
	Filing Date	12/14/1999	
	First Named Inventor	Davies	
	Art Unit	2619	
	Examiner Name	Harrell	
Total Number of Pages in This Submission	Attorney Docket Number	126-005 NTL-3.2.108V	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Petition to Withdraw Notice of Abandonment w/enclosures
Remarks <b>PLEASE CHARGE ANY FEE DEFICIENCY, INCLUDING THE ISSUE FEE, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 502569</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Steubing McGuinness & Manaras LLP		
Signature	<i>Lindsay G. McGuinness</i>		
Printed name	Lindsay G. McGuinness		
Date	6/14/2005	Reg. No.	38,549

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Typed or printed name	Carol Ann Mahoney	Date	6/14/05

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 14 2005  
2005 JUN 15 AM 9:30

Applicant(s): Davies

Application No.: 09/460556

Filed: 12-14-1999

Title: A System Indicating the Presence of An  
Individual or Group of Individuals

Group Art Unit: 2619

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Examiner: Harrell

JUN 21 2005

OFFICE OF PETITIONS

Attorney Docket No.: 126-005 NTL-3.2.108/

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO WITHDRAW NOTICE OF ABANDONMENT UNDER 37 CFR 1.181

Dear Sir:

Applicants petition to withdraw the status of Abandonment which Applicant's attorneys obtained through the PAIR system. Applicant respectfully requests withdrawal of the holding of abandonment of this application for the following reasons:

1. The notice of allowance in the application was originally mailed to an incorrect address.
2. Upon receipt of Notice of Abandonment, Applicant's counsel conferred with the Examiner
3. As evidenced in the letter of November 1, 2004 from Applicant's counsel, the Examiner had indicated that no petition to revive was necessary in this application, since the notice of allowance was mailed to an incorrect address.
4. A review of the PAIR record for the file indicates that the issue fee payment was received and recorded in November 3, 2004.

Applicant therefore respectfully requests that the application be allowed to continue through the grant process to publication. Should there remain any reasons why the Commissioner believes that the application is not in condition for grant, the Commissioner is invited to contact Applicants' attorney at the below number.

Serial No. 09/742,290

- 2 -

Art Unit: 2171

Applicants do not believe that any fee is due from applicant for the correction of this matter. However, should the commissioner determine that a fee is due, the Commissioner is hereby authorized to charge deposit account 502569 for any necessary fee.

2005 JUN 15 AM 9:30

REMARKS

Respectfully Submitted,

6/14/2005  
Date

Lindsay G. McGuinness  
Lindsay G. McGuinness, Reg. No. 38,549  
Attorney/Agent for Applicant(s)  
Steubing McGuinness & Manaras LLP  
125 Nagog Park  
Acton, MA 01720  
(978) 264-6664

Docket No. 126-005

Express Mail Label No.: EV 452427387 US  
Date of Deposit: November 1, 2004

Atty. Docket No. 27996-085

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Elwyn B. Davies et al.

EXAMINER: Robert B. Harrell

SERIAL NUMBER: 09/460,556

ART UNIT: 2142

FILING DATE: December 14, 1999

CONFIRMATION NO. 2619

FOR:

A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR  
GROUP OF INDIVIDUALS

JUN 21 2005  
OFFICE OF PETITIONS

## Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

EV452427387US

## TRANSMITTAL LETTER


Transmitted herewith for filing in the above-referenced patent application are the following documents:

- ☒ Transmittal Letter [1 pg.] [in duplicate];
- ☒ Letter to the Commissioner;
- ☒ Completed Form PTOL-85B [1 pg.];
- ☒ Declaration/Power of Attorney form; [3 pgs.];
- ☒ "Fee Address" Indication Form [1 pg.];
- ☒ Check (# 2226) in the amount of \$1,379.00 (\$1,370.00 for Issue Fee and \$9.00 for three (3) advance copies of patent);
- ☒ Supplemental Information Disclosure Statement (2 pages), in duplicate;
- ☒ Modified Form 1449/PTO (3 pages), in duplicate;
- ☒ Copies of cited references B1 and C1-C10;
- ☒ Check (#2227) for the amount of \$180.00; and
- ☒ Return postcard.

Applicant believes that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 27996-085, Customer No. 35437. A duplicate copy of this Transmittal Letter is enclosed.

Date: November 1, 2004

Respectfully submitted,



Richard M. Lehrer  
Reg. No.: 38, 536  
MINTZ LEVIN COHN FERRIS  
GLOVSKY & POPEO, P.C.  
Chrysler Center  
666 Third Avenue  
New York, NY 10017  
(212) 935-3000

Express Mail Label No.: EV 45 7387 US

Date of Deposit: November 1, 2004

Attorney Docket No. 27996-085

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICANTS: Elwyn B. Davies et al.

EXAMINER: Robert B. Harrell

JUN 14 2005

SERIAL NUMBER: 09/460,556

ART UNIT: 2142

FILING DATE: December 14, 1999

CONFIRMATION NO. 2619

FOR: A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR  
GROUP OF INDIVIDUALS

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OFFICE OF PETITIONS

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## LETTER TO THE COMMISSIONER

Dear Sir/Madam:

Applicant has been in communication with Examiner Robert B. Harrell, the Examining Attorney in connection with the above-referenced application and sets forth the following information pertaining to this application:

1. On March 2, 2004, the undersigned Attorney filed an Amendment After Final;
2. On March 11, 2004, a Notice of Allowance was mailed to Gibbons, Del Deo Dolan Griffinger & Vecchione, the prior attorneys of record for the Applicant;
3. The undersigned firm conducted a telephone inquiry with Examiner Harrell and was informed of the abandonment of the instant application and was advised that the Notice of Allowance would be mailed to the undersigned at the correct address noted below. Examiner Harrell also informed the undersigned firm that payment of the issue fee would be accepted without the filing of a Petition to Revive since the USPTO mailed the Notice of Allowance to the incorrect address.
4. Applicant hereby encloses payment of the issue fee for processing of the Letters Patent.

Applicants respectfully request acceptance of the payment of the issue. If there are any questions regarding this application and payment of the issue, the Commissioner is encouraged to contact the undersigned at the telephone number provided below.

Express Mail Label No.: EV 45 7387 US  
Date of Deposit: November 1, 2004

Attorney Docket No. 27996-085

Applicant believes that no additional fees are due in connection with this submission. However, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 27996-085, Customer No. 35437. A duplicate copy of this Transmittal Letter is enclosed.

Date: November 1, 2004

Respectfully submitted,



Richard M. Lehrer

Reg. No.: 38, 536

MINTZ LEVIN COHN FERRIS

GLOVSKY & POPEO, P.C.

Chrysler Center

666 Third Avenue

New York, NY 10017

(212) 935-3000

NYC 304557v1



JUN 21 2005

PTO/SB/01 (09-04)

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**Declaration  
Submitted  
With Initial  
Filing

OR

Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket

Number

27996-085

First Named Inventor

Elwyn B. DAVIES

COMPLETE IF KNOWN

Application Number

09/460,556

Filing Date

December 14, 1999

Art Unit

2142

Examiner Name

Robert B. Harrell

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I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A SYSTEM INDICATING THE PRESENCE OF AN INDIVIDUAL OR GROUP OF  
INDIVIDUALS**

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

12/14/1999

as United States Application Number or PCT International

Application Number

09/460,556

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES NO	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/01 (10-01)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**DECLARATION — Utility or Design Patent Application**Direct all correspondence to: ☐ Customer Number  OR ☐ Correspondence address below

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Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle (if any))

Elwyn B

Family Name  
or Surname

DAVIES

Inventor's  
Signature

Date

Ely

Cambridgeshire  
StateUK  
CountryBritish  
Citizenship

Residence: City

Mailing Address 60 THE BUTTS

Ely  
CityCambridgeshire  
StateCB7 5AW  
ZIPUK  
CountryNAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventorGiven Name  
(first and middle (if any))

Andrew Newton

Family Name  
or Surname

HARKER

Inventor's  
Signature

Date 28/10/04

Bishop's Stortford  
Residence: CityHertfordshire  
StateUK  
CountryBritish  
Citizenship

Mailing Address 20A Nursery Road

Bishop's Stortford  
CityHertfordshire  
StateCM23 3HL  
ZIPUK  
Country☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

(Page 2 of 2)

28-JUL-2004 10:21


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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> Supplemental Sheet Page 1 of 1
--------------------	--

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
David Robert		STRINGER	
Given Name		Family Name or Surname	
Inventor's Signature 		Date 10/28 2004	
Walnut Creek	CA	USA	British
Residence: City	State	Country	Citizenship
Mailing Address			
2161 Whyte Park Avenue			
Mailing Address			
Walnut Creek	CA	94595	USA
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Eric W		PARSONS	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Ashton	Ontario	Canada	Canadian
Residence: City	State	Country	Citizenship
Mailing Address			
19 Carlsle Circle RR4			
Mailing Address			
Ashton	Ontario	K0A 1B0	Canada
City	State	ZIP	Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Steven M		ARMSTRONG	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Nepean	Ontario	Canada	Canadian
Residence: City	State	Country	Citizenship
Mailing Address			
24 Hillview Road			
Mailing Address			
Nepean	Ontario	K2H 5G5	Canada
City	State	ZIP	Country

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

05-Jun-14

08:30am

From-Staubing, McGuinness &amp; Manaras LLP

978 264 9119

T-828 P.013/018 F-891

PTO/SB/47 (09-04)

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Please recognize as the "Fee Address" under the provisions of 37 CFR 1.363 the address associated with



Customer Number:

000626

JUN 21 2005

OR

OFFICE OF PETITIONS



Request for Customer Number (PTO/SB/125) attached hereto  
in the following listed application(s) for which the Issue Fee has been paid for patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	09/460,556

Completed by (check one):



Applicant/Inventor



Signature



Attorney or Agent of record

38,536

(Reg. No.)

Richard M. Lehrer

Typed or printed name



Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

(212) 935-3000

Requester's telephone number



Assignee recorded at Reel \_\_\_\_\_ Frame \_\_\_\_\_

November 1, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.



\* Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.363. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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